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VIA FACSIMILE

April 27, 2012

Hon. Harold Baer, Jr.
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007
Fax# 212-805-7901

Re: Maclaren Europe Limited v. ACE American Insurance Company

11-cv-4688 (HB)

Dear Judge Baer:

I am the attorney for Farzard Rastegar ("Rastegar") in connection with a non-party subpoena served upon him in the above-referenced matter. I write concerning the Court's April 26th order directing Rastegar to appear for a deposition by May 2, 2011.

I learned yesterday that my client is already out of the country on a previously scheduled trip to Europe, and will not be back in the New York area until May 10, 2012. Based upon scheduling conflicts of the various counsel and my desire to prepare my client before the deposition, I request that the Court permit Mr. Rastegar's deposition to be held on May 16, 2012. Counsel for the parties have consented to this date, contingent upon the Court's permission to hold the tebosition beyond the May 11th discovery cutoff.

off.

Thank you for your consideration in the martir.

Dertie P. Kolleher (DK 1444)

Paul Hugel, Esq. (via email)

Paul Hugel, Esq. (via email)

Endorsement:

May 16 is OK but your client in my view is treading on thin ice and sanctions are clearly in the offing if this deposition does not go forward on the $16^{\rm th}$. I have yet to read any TOAMA materials but I will and get back to you.